

**THIRTY-THIRD LEGISLATIVE DAY
FRIDAY, FEBRUARY 13, 2004**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 67 members present.

Absent and excused -- Clark, Lake, Sali. Total -- 3.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Alison Knox, Page.

Approval of Journal

February 13, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-second Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the
Governor and the Senate**

February 12, 2004

Mr. Speaker:

I transmit herewith enrolled **SCR 119** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **SCR 119** and, when so signed, ordered it returned to the Senate.

February 12, 2004

Mr. Speaker:

I transmit herewith **SJM 105** which has passed the Senate.

WOOD, Secretary

SJM 105 was filed for first reading.

Report of Standing Committees

February 13, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 42**, **HCR 43**, **HCR 44**, **H 664**, **H 665**, **H 666**, **H 667**, **H 668**, **H 669**, **H 670**, **H 671**, **H 672**, **H 673**, **H 674**, and **H 675**.

FIELD(18), Chairman

HCR 42, **H 664**, **H 665**, **H 666**, **H 667**, and **H 668** were referred to the Judiciary, Rules, and Administration Committee.

HCR 44 was referred to the State Affairs Committee.

H 669 and **H 670** were referred to the Resources and Conservation Committee.

H 671, **H 672**, **H 673**, **H 674**, and **H 675** were referred to the Business Committee.

HCR 43 was filed for second reading.

February 13, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 565** to the Governor at 1:40 p.m., as of this date, February 12, 2004.

FIELD(18), Chairman

February 13, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 36** to the Secretary of State at 1:35 p.m., as of this date, February 12, 2004.

FIELD(18), Chairman

February 12, 2004

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 579** and report it back with amendments attached to be placed on General Orders for consideration.

SALI, Chairman

H 579 was placed on General Orders for consideration.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

**HOUSE CONCURRENT RESOLUTION NO. 45
BY TRANSPORTATION AND DEFENSE COMMITTEE
A CONCURRENT RESOLUTION**

STATING FINDINGS OF THE LEGISLATURE AND
URGING SUPPORT OF THE IDAHO EMPLOYER SUPPORT
OF THE GUARD AND RESERVE.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, Americans understand and deeply appreciate the strategic and military value of our National Guard and Reserve which comprise approximately forty-six percent of our total available military manpower; and

WHEREAS, since September 11, 2001, more than 309,000 National Guard and Reserve personnel have been mobilized for the war on terrorism, some for one to two years; and

WHEREAS, Idaho National Guard and Reserve personnel

work for public agencies and private businesses; and

WHEREAS, public and private employers of America's National Guard and Reserve members have become inextricably linked to a strong national defense; and

WHEREAS, the United States Department of Defense chartered the National Committee for Employer Support of the Guard and Reserve (ESGR) in 1972 to promote both public and private employer understanding of the National Guard and Reserve in order to gain employer and community support through programs and personnel policies and practices that encourage employee and citizen participation in National Guard and Reserve programs; and

WHEREAS, today, nearly 4,500 volunteer executives, senior government representatives, educators, and military personnel serve on local ESGR committees and conduct employer support programs, including Bosslifts, Briefings with the Boss, Mission One, Ombudsmen Services, and recognition of employers whose policies support or encourage participation in the National Guard and Reserve; and

WHEREAS, the Idaho Employer Support of the Guard and Reserve promotes the development of a positive relationship between employers and those employees who serve in the guard and reserve, and serves as a resource for information related to the United States Department of Labor's Uniformed Services Employment and Reemployment Rights Act.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-seventh Idaho Legislature, the House of Representatives and the Senate concurring therein, that we urge renewed and continuing support of the Idaho Employer Support of the Guard and Reserve.

**HOUSE JOINT MEMORIAL NO. 18
BY AGRICULTURAL AFFAIRS COMMITTEE
A JOINT MEMORIAL**

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Fifty-seventh Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the state of Idaho is the second leading producer of sugarbeets in the United States, producing eighteen percent of the nation's market share; and

WHEREAS, the United States is already the world's fourth largest sugar-importing nation and has existing World Trade Organization commitments to import at least 1,250,000 tons of foreign sugar every year, duty free, from forty-one foreign nations including the Central American Free Trade Area (CAFTA) countries; and

WHEREAS, the United States sugar producers are already holding over 700,000 tons of United States sugar off the market this year under the marketing allocation system in the U.S. Farm Bill in order to properly manage the program, stabilize prices and prevent a glut on the market; and

WHEREAS, the nation's sugarbeet industry is facing one of the gravest threats in its history in the form of the CAFTA agreement, as well as other trade agreements currently under negotiation, which seek to provide unneeded additional foreign access to the United States sugar market; and

WHEREAS, in January 2002, the federal government announced that it was initiating negotiations on a free trade agreement involving the countries of El Salvador, Guatemala, Honduras and Nicaragua. That negotiation concluded in December 2003. The United States is also seeking to include Costa Rica and the Dominican Republic in the agreement. Congress must now decide whether to ratify CAFTA; and

WHEREAS, CAFTA would allow the Central American countries to export over 100,000 additional tons of sugar to the United States, harming the United States sugar industry in the process; and

WHEREAS, the United States sugar industry is efficient by world standards but cannot be expected to compete with these foreign countries under free trade agreements due to the labor practices, lack of environmental regulations and subsidized agricultural production of these foreign countries; and

WHEREAS, concerns over free trade agreements face the sugar industry at a time when the domestic consumption of sugar is declining, forcing domestic sugar producers to store extremely high quantities of sugar; and

WHEREAS, the state of Idaho stands to lose thousands of jobs and millions of dollars if these free trade agreements are implemented, potentially devastating the state's sugarbeet industry, moving production into other supply-sensitive crops, and severely harming the state's economy as a whole; and

WHEREAS, the economic impact of any trade agreement on the states must be recognized and considered to maintain viable economic health of agricultural industries, as well as all industries, with an emphasis on fair trade, rather than free trade; and

WHEREAS, the provisions of CAFTA should be renegotiated to limit exports from Central American countries to a needs-based access, allowing the United States sugar policy to properly function and fairly treat sugarbeet and cane growers in the United States.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-seventh Idaho Legislature, the House of Representatives and the Senate concurring therein, that in negotiating any national trade agreements, the federal government is urged to recognize the economic impact of such trade agreements on the states and consider those impacts to maintain viable economic health of agricultural industries, as well as all industries, with an emphasis on fair trade, rather than free trade. The government is further urged to renegotiate the provisions of CAFTA to limit sugar exports from the Central American countries to fairly protect sugarbeet and cane growers in the United States.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

HCR 45 and **HJM 18** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

SJM 105, by State Affairs Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

HOUSE BILL NO. 676

BY ENVIRONMENTAL AFFAIRS COMMITTEE

AN ACT

RELATING TO HAZARDOUS WASTE; AMENDING SECTION 49-2202, IDAHO CODE, TO INCREASE THE FEES APPLICABLE TO THE TRANSPORTATION OF HAZARDOUS WASTE AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 677

BY AGRICULTURAL AFFAIRS COMMITTEE

AN ACT

RELATING TO THE REGULATION OF FOOD ESTABLISHMENTS; AMENDING SECTION 39-1602, IDAHO CODE, TO PROVIDE THAT CERTAIN AGRICULTURAL EQUIPMENT SHALL NOT BE CONSIDERED FOOD ESTABLISHMENTS AND TO MAKE A TECHNICAL CORRECTION.

HOUSE BILL NO. 678

BY AGRICULTURAL AFFAIRS COMMITTEE

AN ACT

RELATING TO CROP MANAGEMENT AREAS; AMENDING SECTION 22-2017, IDAHO CODE, TO PROVIDE FOR PETITIONS FOR THE ESTABLISHMENT OF CROP MANAGEMENT AREAS IN AREAS WHERE FEWER THAN TWENTY-FIVE REGISTERED ELECTORS RESIDE.

HOUSE BILL NO. 679

BY AGRICULTURAL AFFAIRS COMMITTEE

AN ACT

RELATING TO AGRICULTURAL COMMODITY PRODUCER AND DEALER LIENS; AMENDING SECTION 45-1802, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CERTAIN LIENS OF AGRICULTURAL COMMODITY PRODUCERS AND AGRICULTURAL COMMODITY DEALERS; AMENDING SECTION 45-1803, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE ATTACHMENT OF CERTAIN LIENS OF AGRICULTURAL COMMODITY PRODUCERS AND AGRICULTURAL COMMODITY DEALERS; AND AMENDING SECTION 45-1805, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE PRIORITY OF CERTAIN LIENS OF AGRICULTURAL COMMODITY PRODUCERS AND AGRICULTURAL COMMODITY DEALERS.

HOUSE BILL NO. 680

BY AGRICULTURAL AFFAIRS COMMITTEE

AN ACT

RELATING TO SOIL AND PLANT AMENDMENTS; AMENDING SECTION 22-2203, IDAHO CODE, TO DEFINE ADDITIONAL TERMS; AMENDING CHAPTER 22, TITLE 22, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 22-2226, IDAHO CODE, TO PROHIBIT LOCAL REGULATION AND LEGISLATION RELATING TO SOIL AND PLANT AMENDMENTS AND TO PROVIDE THAT LOCAL LEGISLATION RELATING TO SOIL AND PLANT AMENDMENTS IS VOID AND UNENFORCEABLE; AND AMENDING SECTION 22-2210, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

HOUSE BILL NO. 681

BY AGRICULTURAL AFFAIRS COMMITTEE

AN ACT

RELATING TO COMMERCIAL FERTILIZERS; AMENDING SECTION 22-603, IDAHO CODE, TO DEFINE ADDITIONAL TERMS AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 6, TITLE 22, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 22-626, IDAHO CODE, TO PROHIBIT LOCAL REGULATION AND LEGISLATION RELATING TO FERTILIZERS AND TO PROVIDE THAT LOCAL LEGISLATION RELATING TO FERTILIZERS IS VOID AND UNENFORCEABLE; AND AMENDING SECTION 22-610, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

HOUSE BILL NO. 682

BY AGRICULTURAL AFFAIRS COMMITTEE

AN ACT

RELATING TO BEEF CATTLE FEEDING OPERATIONS; AMENDING SECTION 22-4902, IDAHO CODE, TO PROVIDE ADDITIONAL LEGISLATIVE INTENT RELATING TO THE BEEF CATTLE ENVIRONMENTAL CONTROL ACT; AMENDING SECTION 22-4903, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 22-4904, IDAHO CODE, TO DEFINE A TERM, TO REVISE DEFINITIONS AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 22-4906, IDAHO CODE, TO PROVIDE ADDITIONAL REQUIREMENTS FOR NUTRIENT MANAGEMENT PLANS; AND AMENDING SECTION 22-4907, IDAHO CODE, TO REVISE AUTHORITY GRANTED TO THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE RELATING TO THE INSPECTION OF BEEF CATTLE FEEDING OPERATIONS, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 683

BY AGRICULTURAL AFFAIRS COMMITTEE

AN ACT

RELATING TO THE IDAHO POTATO COMMISSION; REPEALING SECTION 22-1201, IDAHO CODE; AMENDING CHAPTER 12, TITLE 22, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 22-1201, IDAHO CODE, TO PROVIDE LEGISLATIVE INTENT; AMENDING SECTION 22-1207, IDAHO CODE, TO REVISE THE POWERS AND DUTIES OF THE POTATO COMMISSION,

TO PROVIDE CORRECT TERMINOLOGY AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 22-1208, IDAHO CODE, TO AUTHORIZE AND DIRECT THE POTATO COMMISSION TO DISSEMINATE CERTAIN INFORMATION RELATING TO COMMODITY FACTS, BENEFITS AND PROMOTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 22-1213, IDAHO CODE, TO PROVIDE FOR THE DEPOSIT OF CERTAIN PENALTIES IN THE GENERAL FUND OF THE IDAHO POTATO COMMISSION; AMENDING SECTION 49-417C, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 684

BY TRANSPORTATION AND DEFENSE COMMITTEE
AN ACT

RELATING TO FUELS TAX CREDITS AND REFUNDS TO CONSUMERS; AMENDING SECTION 63-2401, IDAHO CODE, TO DEFINE "IDLING" AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 63-2423, IDAHO CODE, TO PROVIDE THAT NO REFUND OF SPECIAL FUELS TAX SHALL BE PAID ON SPECIAL FUELS USED WHILE IDLING A REGISTERED MOTOR VEHICLE.

HOUSE BILL NO. 685

BY LOCAL GOVERNMENT COMMITTEE
AN ACT

RELATING TO ANNEXATION OF ADJACENT UNINCORPORATED AREAS BY CITIES; AMENDING CHAPTER 2, TITLE 50, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 50-221A, IDAHO CODE, TO REQUIRE A CITY TO GIVE NOTICE OF INTENT TO ANNEX, TO HOLD A PUBLIC HEARING AND HOLD AN ELECTION IN THE AFFECTED AREA IF CERTAIN EVENTS OCCUR; REPEALING SECTION 50-222, IDAHO CODE; AMENDING CHAPTER 2, TITLE 50, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 50-222, IDAHO CODE, TO PROVIDE FOR ANNEXATION OF ADJACENT TERRITORY BY CITIES; AMENDING CHAPTER 2, TITLE 50, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 50-222A, IDAHO CODE, TO PROVIDE FOR ANNEXATION OF NONCONTIGUOUS TERRITORY WHICH IS OCCUPIED BY A MUNICIPALLY OWNED OR OPERATED AIRPORT OR LANDING FIELD, WITH LIMITATIONS; DECLARING AN EMERGENCY AND PROVIDING APPLICATION.

HOUSE BILL NO. 686

BY LOCAL GOVERNMENT COMMITTEE
AN ACT

RELATING TO ORDERS OF THE STATE FIRE MARSHAL FOR REMEDY OR REMOVAL; AMENDING SECTION 41-261, IDAHO CODE, TO INCREASE THE PENALTY FOR OWNERS OR OCCUPANTS FAILING TO COMPLY WITH ORDERS FOR REMEDY OR REMOVAL, TO DESIGNATE THE ENTITIES TO WHICH PENALTIES SHALL BE PAYABLE, TO PROVIDE THAT PENALTIES MAY BE RECOVERED IN CERTAIN CIVIL

ENFORCEMENT ACTIONS UNDER THE DIRECTION OF ATTORNEYS FOR FIRE DISTRICTS AND TO PROVIDE FOR THE AWARD AND PAYMENT OF REASONABLE ATTORNEY'S FEES AND COSTS.

HOUSE BILL NO. 687

BY LOCAL GOVERNMENT COMMITTEE
AN ACT

RELATING TO THE MOBILE HOME PARK LANDLORD TENANT ACT; AMENDING SECTION 55-2010, IDAHO CODE, TO PROVIDE CLARIFICATION, TO INCREASE THE NOTICE TIME WHICH MUST BE GIVEN BEFORE TERMINATION OF A TENANCY UPON CESSATION OF THE OPERATION AND TO MAKE A TECHNICAL CORRECTION.

HOUSE BILL NO. 688

BY LOCAL GOVERNMENT COMMITTEE
AN ACT

RELATING TO LOCAL IMPROVEMENT DISTRICTS AND BUSINESS IMPROVEMENT DISTRICTS; AMENDING SECTION 50-1706, IDAHO CODE, TO DELETE THE OPTION OF INITIATING A DISTRICT WITH A PETITION SIGNED BY AT LEAST SIXTY PERCENT OF RESIDENT OWNERS AND TO DELETE THE PROVISION OF LAW WHICH ALLOWS A COUNCIL TO INITIATE THE ORGANIZATION OF A DISTRICT; AMENDING SECTION 50-1707, IDAHO CODE, TO DELETE REFERENCE TO THE PROVISION OF LAW WHICH ALLOWS INITIATION OF A DISTRICT BY COUNCIL ACTION; AMENDING SECTION 50-1709, IDAHO CODE, TO REVISE THE TERMS AND CONDITIONS BY WHICH OWNERS OF PROPERTY MAY PROTEST PROPOSED IMPROVEMENTS AND TO DELETE PROVISIONS RELATING TO THE CREATION OF A DISTRICT AS PROPOSED BY A NONCITY, NONCOUNTY GOVERNING BOARD; AMENDING SECTION 50-2603, IDAHO CODE, TO REVISE THE SIGNATURE REQUIREMENTS FOR AN INITIATION PETITION; AMENDING SECTION 50-2606, IDAHO CODE, TO DELETE PROVISIONS FOR TERMINATING A PROTEST HEARING BY BUSINESSES IN THE PROPOSED DISTRICT WHICH WOULD PAY A MAJORITY OF THE PROPOSED SPECIAL ASSESSMENTS; AMENDING SECTION 50-2607, IDAHO CODE, TO REQUIRE THE APPROVAL OF AT LEAST SIXTY-SEVEN PERCENT OF BUSINESSES WHICH MAY BE ADDED, AND AT LEAST SIXTY-SEVEN PERCENT OF BUSINESSES PAYING ASSESSMENTS WHICH MAY BE EXCLUDED FROM, A DISTRICT DUE TO A PROPOSED CHANGE OF BOUNDARIES; AMENDING SECTION 50-2611, IDAHO CODE, TO REMOVE AUTHORITY OF A LEGISLATIVE AUTHORITY TO CONTRACT FOR THE ADMINISTRATIVE OPERATION OF A BUSINESS IMPROVEMENT DISTRICT; AMENDING SECTION 50-2614, IDAHO CODE, TO PROVIDE THAT PROCEEDINGS TO CHANGE THE RATE OF ASSESSMENT OR IMPOSE AN ADDITIONAL RATE OF SPECIAL ASSESSMENTS SHALL TERMINATE IF PROTEST IS MADE BY THIRTY-THREE PERCENT OR MORE OF THE BUSINESSES IN THE PROPOSED DISTRICT; AMENDING SECTION 50-2618,

IDAHO CODE, TO PROVIDE THAT A LEGISLATIVE AUTHORITY SHALL DISESTABLISH A DISTRICT IF THIRTY-THREE PERCENT OR MORE OF THE BUSINESSES IN THE DISTRICT PETITION IN WRITING FOR DISESTABLISHMENT; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 689
BY LOCAL GOVERNMENT COMMITTEE
 AN ACT

RELATING TO THE GENERAL POWERS OF AUDITORIUM DISTRICTS; AMENDING SECTION 67-4912, IDAHO CODE, TO PROHIBIT THE USE OF AUDITORIUM DISTRICT FUNDS TO ADVERTISE OR PROMOTE A MEASURE INCLUDING BALLOT MEASURES AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 690
BY LOCAL GOVERNMENT COMMITTEE
 AN ACT

RELATING TO THE HOTEL/MOTEL ROOM SALES TAX; AMENDING SECTION 67-4917B, IDAHO CODE, TO PROVIDE FOR A GRADUATED TAX BASED ON THE PROXIMITY OF THE TAXPAYER HOTEL OR MOTEL TO THE FACILITY BEING FINANCED.

HOUSE BILL NO. 691
BY STATE AFFAIRS COMMITTEE
 AN ACT

RELATING TO WINE SAMPLE TASTING; AMENDING CHAPTER 13, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-1325C, IDAHO CODE, TO PROVIDE THAT VINTNERS, WINERIES AND DISTRIBUTORS MAY CONDUCT OR ASSIST IN WINE SAMPLE TASTINGS, TO PROVIDE THAT HOLDERS OF RETAIL WINE LICENSES OR WINE BY THE DRINK LICENSES MAY CONDUCT WINE SAMPLE TASTING EVENTS, TO PROVIDE THAT A WINE BY THE DRINK LICENSE SHALL NOT BE REQUIRED UNDER CERTAIN CIRCUMSTANCES, TO SET FORTH REQUIREMENTS APPLICABLE TO SAMPLE TASTING EVENTS, TO SET FORTH ADDITIONAL REQUIREMENTS FOR VINTNER, WINERY OR DISTRIBUTOR CONDUCTED SAMPLE TASTINGS, TO PROVIDE FOR RETAILER CONDUCTED WINE SAMPLE TASTINGS AND TO PROVIDE THAT PARTICIPATION IN AN AUTHORIZED WINE SAMPLE TASTING EVENT SHALL NOT CONSTITUTE PROHIBITED CONDUCT OR UNLAWFUL AID TO A RETAILER.

HOUSE BILL NO. 692
BY STATE AFFAIRS COMMITTEE
 AN ACT

RELATING TO EMERGENCY COMMUNICATIONS SYSTEMS; AMENDING SECTION 31-4801, IDAHO CODE, TO REVISE LEGISLATIVE PURPOSE AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 48, TITLE 31, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 31-4815, 31-4816, 31-4817 AND 31-4818, IDAHO CODE, TO CREATE THE IDAHO EMERGENCY

COMMUNICATIONS COMMISSION, TO PROVIDE MEMBERSHIP AND TERMS OF OFFICE, TO PROVIDE PURPOSES AND RESPONSIBILITIES OF THE IDAHO EMERGENCY COMMUNICATIONS COMMISSION, TO PROVIDE MEDIATION BY THE IDAHO EMERGENCY COMMUNICATIONS COMMISSION AND TO CREATE THE IDAHO EMERGENCY COMMUNICATIONS FUND.

HOUSE BILL NO. 693
BY STATE AFFAIRS COMMITTEE
 AN ACT

RELATING TO ANATOMICAL GIFTS; AMENDING SECTION 39-3413, IDAHO CODE, TO REVISE THE DOCUMENT REQUIREMENTS FOR THE MAKING OF AN ANATOMICAL GIFT TO INCLUDE A STATEMENT THAT THE ORGANS, TISSUES OR PARTS MAY OR MAY NOT BE RETRIEVED AND/OR USED BY FOR-PROFIT PROCUREMENT ENTITIES; AND AMENDING SECTION 39-3413A, IDAHO CODE, TO INCLUDE IN THE REQUIREMENTS FOR INFORMED CONSENT A STATEMENT THAT ORGANS, TISSUES OR PARTS MAY BE RETRIEVED AND/OR USED BY FOR-PROFIT PROCUREMENT ENTITIES.

HOUSE BILL NO. 694
BY HEALTH AND WELFARE COMMITTEE
 AN ACT

RELATING TO THE IDAHO BOARD OF NURSING; AMENDING SECTION 54-1401, IDAHO CODE, TO REQUIRE APPLICANTS FOR ORIGINAL LICENSURE AND FOR LICENSE REINSTATEMENT TO SUBMIT TO CRIMINAL BACKGROUND CHECKS.

HOUSE BILL NO. 695
BY HEALTH AND WELFARE COMMITTEE
 AN ACT

RELATING TO NATUROPATHIC MEDICINE; AMENDING TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 51, TITLE 54, IDAHO CODE, TO PROVIDE A STATEMENT OF LEGISLATIVE PURPOSE, TO PROVIDE DEFINITIONS, TO REQUIRE A LICENSE, TO DEFINE SCOPE OF PRACTICE, TO SPECIFY PROHIBITIONS, TO SPECIFY EXEMPTIONS, TO PROVIDE CREATION OF THE BOARD OF NATUROPATHIC MEDICAL EXAMINERS, TO SPECIFY POWERS AND DUTIES OF THE BOARD, TO PROVIDE ESTABLISHMENT OF THE NATUROPATHIC FORMULARY COUNCIL, TO SPECIFY FEES, TO PROVIDE QUALIFICATIONS FOR LICENSURE, TO PROVIDE A RESTRICTED LICENSURE OF CURRENT PRACTITIONERS OF NATUROPATHIC MEDICINE, TO PROVIDE LICENSE STANDARDS FOR OUT-OF-STATE APPLICANTS, TO PROVIDE FOR INVESTIGATION, HEARINGS AND SUBPOENA POWERS, TO PROVIDE DISCIPLINARY ACTION, TO PROVIDE FOR DENIAL OR REVOCATION PROCEDURE, TO PROVIDE ENFORCEMENT PENALTIES AND TO PROVIDE SEVERABILITY.

HOUSE BILL NO. 696

BY HEALTH AND WELFARE COMMITTEE**AN ACT**

RELATING TO MEDICAID; AMENDING CHAPTER 2, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-209m, IDAHO CODE, TO DIRECT THE DIRECTOR OF THE DEPARTMENT OF HEALTH AND WELFARE TO APPLY FOR A WAIVER TO CONDUCT A PILOT PROJECT FOR SERVICES RELATED TO WEIGHT CONTROL BASED UPON AVAILABLE FUNDING.

HOUSE BILL NO. 697**BY HEALTH AND WELFARE COMMITTEE****AN ACT**

RELATING TO RULES OF THE BOARD OF HEALTH AND WELFARE; AMENDING SECTION 56-1017, IDAHO CODE, TO PROVIDE FOR THE ADOPTION OF RULES AND STANDARDS CONCERNING CRITERIA FOR THE USE OF AIR MEDICAL SERVICES BY CERTIFIED EMS PERSONNEL AT EMERGENCY SCENES.

HOUSE BILL NO. 698**BY HEALTH AND WELFARE COMMITTEE****AN ACT**

RELATING TO PUBLIC ASSISTANCE; AMENDING SECTION 56-242, IDAHO CODE, TO DELAY IMPLEMENTATION OF THE CHIP PLAN B AND THE CHILDREN'S ACCESS CARD PROGRAM AND THE SMALL BUSINESS HEALTH INSURANCE PILOT PROGRAM.

H 676, H 677, H 678, H 679, H 680, H 681, H 682, H 683, H 684, H 685, H 686, H 687, H 688, H 689, H 690, H 691, H 692, H 693, H 694, H 695, H 696, H 697, and H 698 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

HCR 38, by Judiciary, Rules, and Administration Committee, was read the second time by title and filed for third reading.

H 623, by Resources and Conservation Committee, was read the second time by title and filed for third reading.

H 515, by State Affairs Committee, was read the second time by title and filed for third reading.

H 526, H 568, H 569, and H 585, by Business Committee, were read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

H 521 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Campbell and

Mr. Jones to open debate.

The question being, "Shall **H 521** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Cuddy, Deal, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Langhorst, Martinez, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Robison, Sayler, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills. Total -- 50.

NAYS -- Barrett, Bauer, Bayer, Crow, Eberle, Harwood, Langford, McGeachin, McKague, Meyer, Roberts, Rydalch, Schaefer, Wood, Mr. Speaker. Total -- 15.

Absent and excused -- Clark, Kulczyk, Lake, Sali, Smith(24). Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 521** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, February 16, 2004. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 10 a.m., Monday, February 16, 2004. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:07 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk